

Home (195⁴⁸) Department.

Mr SERIES.

G.O. No.

3541

Dated

22-9-48

[Despatch Abstract.]

Court Fees Act, 1870 - Czechoslovakian Industrial
Mission - Application for liquor permits - Remission of
Court fees - Notification - Issued.

Copy of Board's ref.No. C.R.No.19330 Pto/48 X.3 dated 7-6-48.

* * * *

Sub: Prohibition - The Nilgiris district - possession of foreign liquor for personal consumption - Czechoslovakian Industrial Mission - Grant of permits - free of fee - Report - Submitted.

Ref: From the Collector of the Nilgiris Telegram dated 5-6-48.

* * * *

REFERENCE:

The Board has received a telegram from the Collector of the Nilgiris requesting orders whether the permit fee of Rs.20/- should be collected from the members of Czechoslovakian Industrial Mission who require permits during their stay in the Nilgiris for a week and whether they should be requested to affix court fee labels of the value of one anna to their applications.

In Government Order Ms.No.1101 Revenue dated 7-5-48 the Government have exempted the delegates to the Economic Conference of Asia and Far East from payment of the necessary permit fee. As the Czechoslovakian Industrial Mission is of an inter-national nature, the Board has instructed the Collector of the Nilgiris telegraphically not to collect the permit fee from the members of the Czechoslovakian Industrial Mission and not to insist on affixing court fee labels of the value of one anna to their applications. The Board requests that the Government may be pleased to exempt the members of the Czechoslovakian Industrial Mission from payment of permit fee and affixing court fee labels of the value of one anna to their applications for liquor permits and to approve its action.

/True Copy/

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GOVERNMENT OF MADRAS.
Revenue Department...

MEMORANDUM No. 33478 D/48-2 dated 9th July 1948.

Prohibition in (The Nilgiris District) - Liquor - possession
for personal consumption - Czechoslovakian Industrial Mission - Grant
of permit free of fee

* * *

From the Board of Revenue Ref.C.R.No.19330 Pro/48 XA3
dated 7th June 1948.

The action of the Board of Revenue is having instructed the
Collector of the Nilgiris not to collect the permit fees from the
members of the Czechoslovakian Industrial Mission is approved.

2. Orders on the question of exemption from affixing court fee
labels will be issued from the Home Department separately.

V. Narasingsa Rao,
Assistant Secretary to Government.

To the Board of Revenue (Excise)
Copy to the Home Department (with copy of extracts).

True Copy/

Telephonic Message.

from the Additional Assistant Secretary to Government, Home Department.
To the Joint Secretary, Board of Revenue, Madras.

Sub: Court Fees Act, 1870- Czechoslovakian Industrial Mission -
Application for liquor permits - Remission of Court Fees.

Ref: Boards No.C.R.19330, Pto/48-X-3 d/7-6-1948.

Please refer me to the Article in Schedule II to the Court Fees Act under which court fee labels of the value of one anna should be affixed to applications to the Collector for liquor permits.

/True Copy/

Note:- Please see the Legal Dept. Note on p.4n.f. (below) A doubt has been raised as to the Article in Schedule to the Court Fees Act under which court fee labels of the value of one anna should be affixed to applications to Collector for liquor permits. The Board may be asked to refer to the relevant article in Schedule II. Draft T.M. submitted is for approval.

/True Copy/

BOARD OF REVENUE (EXCISE) DEPARTMENT.

Sub: Court Fees, Act, 1870- Czechoslovakian Industrial Mission -
Application for liquor permits - Remission of Court fees -

Read:-Your post copy of telephonic message, dated 18-8-1948.

C.R.No.19330-Pro/48-XF3.

Station: Triplicane, Madras-5.

Dated 26-8-1948.

From

Md. Munzoor Husain Khan Sahib Bahadur, B.A. (Hons),
Assistant Secretary, Board of Revenue (Excise)

V.N. Kudva Esq., C.I.E., I.C.S.,
Member, Board of Revenue and Commissioner of Land Revenue,
Excise and Prohibition.

Post Copy of Telephone message.

Please refer to paragraph 2 (b) of G.O.No.1888, Home, dated
3-4-1939.

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Assistant Secretary.

To the Additional Secretary to Government, Home Department.

/True Copy/

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GOVERNMENT OF MADRAS.
Abstract.

Court - Fees Act, 1870 - Czechoslovakian Industrial Mission -
Application for liquor permits - Remission of Court fees - Notification
Issued.

3 3 - - - - -

Home Department.

G.O.No.3541.

Dated 22nd September 1948.

Read the following:-

- I. G.O.No.1888, Home, dated 3-4-44 39.
 - II. From the Board of Revenue, C.R.No.19330 PTO/48-X3,
dated 7-6-1948.
- - -

ORDER:

The following notification will be published in the Fort
St..George Gazette:-
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N O T I F I C A T I O N.

In exercise of the powers conferred by section 35 of the Court-
Fees Act, 1870, (Central Act VII of 1870), as in force in the Province
of Madras, His Excellency the Governor of Madras hereby remits the
fees payable under Schedule II to the said Act, on application for
permits under the Madras Prohibition Act, 1937 (Madras Act X of 1937)
from the members of Czechoslovakian Industrial Mission during their
stay in the Nilgiris.

(By order of His Excellency the Governor)

To the Board of Revenue.

" the Collector of Nilgiris.

" the Hon'ble the Chief Justice.

" the Public (General) Department.

" the Legal Department.

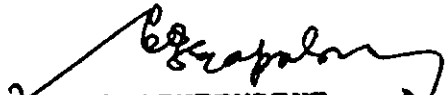
" the Accountant-General, Madras.

" the Superintendent, Government Press, (for publication of the
notification in the Fort St.George Gazette).

Copy to the Revenue Department.

/True Copy/

ss/19.5.


SUPERINTENDENT,
Madras Record Office,
20-5-1955.
1/2 20/5.

Home Department.

This case has been sent to this department with reference to para : of the memo on p.3 c.f. A draft order is submitted for approval.

2. It does not seem necessary to make any addition to the Law General Dept. Notification No.358 dated 10-9-1921 as is usually done in sanctioning remission of court-fees, under section 35 of the Court Fees Act, as the remission granted in this case is only of a temporary nature and relates to a short period of the visit of the Czechoslovakian Industrial Mission.

3. The draft order may be sent to Revenue and Finance Depts. for acceptance and to Legal for scrutiny of the draft notification.

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Revenue Department.

TO A.S.

The draft order may be perused and the file sent to Finance.

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Finance (A.A.)

The draft order may be accepted and the case passed on to Legal.

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/True Copy/

Legal Department.

The draft provides for the remission of the fees payable under Article 1 (a) of Schedule II to the Court-fees Act. Presumably the applications are to be addressed to the Collector. If so, it is not clear how Article 1 (a) can be made applicable to this case. Article 1 (b) appears to be the proper Article. Home may please verify this in the first instance.

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/True Copy/

To A.S.

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2. Orders on the question of exemption from affixing Court fee labels of the value of one anna to the applications, will have to be issued in Home Department.

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Home Department.

This case has been sent to this department with reference to N above. Necessary action will be taken on receipt of a copy of the memo on p.1 ante. with relevant extracts. The case may be returned to the Revenue Department.

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5/7/48.

/True Copy/

HOME DEPARTMENT.

Please see the Legal Department's note on page 4 ante, the T.M. to the Board of Rev. and its reply at pp.5&7 ~~of~~ ^{1/} Cf. The Board has referred to para 2 (b) of G.O.No.1888 Home, dated 3.4.39, in which Govt. reduced to one anna the fee payable Under Sch.II to the Court Fees Act, upon applications for licences and permits under the Madras Prohibition Act, 1937. It will be seen from the portions marked 'A' on page 10 and 'T' on page 18 of G.O.No.464, Rev. dated 22-2-39 that applications for licence or permit under the Prohibition Act fall under Article 1 (b) or 1 (c) of Sch. II to the Court Fees Act.

Suitable alterations have been made in the draft below on the lines of para 2 of G.O.No.1888 Home, dated 3-4-39. The case may be sent to Legal.

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Legal Department.

The draft as revised is in order.

/True Copy/

Home Department.

The draft order may now issue.

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/True Copy/

(P:T.O.)

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(Issued G.O.Ms.No.3541, Howe dated 22-9-48)

/True Copy/

ss/19.5.

for SUPERINTENDENT,
Madras Record Office,
20-5-1953.
1953/5
20/5